



BALCH & BINGHAM LLP

Christian B. Waddell  
(601) 965-8161

401 East Capitol Street  
Suite 200  
Jackson, MS 39201  
Phone: (601) 961-9900  
Toll Free: (888) 921-9901  
Fax: (601) 961-4466

(888) 201-2067 (direct fax)  
cwaddell@balch.com

RECEIVED  
CENTRAL FAX CENTER

NOV 29 2005

DATE: November 29, 2005

TO: Director  
United States Patent and Trademark  
Office

FAX NUMBER: (571) 273-8300

NUMBER OF PAGES: 9

USER NUMBER: 0269

BILLING NUMBER: 002891-002

COMMENTS:

**If there is a problem during transmission, please call (601) 961-9900.**

### CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender that is protected by the attorney/client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, distribution or copying or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

C:\Program Files\Microsoft Office\Templates\BB Templates\Fax.dot



BALCH &amp; BINGHAM LLP

Alabama • Georgia • Mississippi • Washington, DC

Christian B. Waddell  
(601) 965-8161

November 29, 2005

BY FACSIMILE (571) 273-8300BY U.S. MAILDirector of United States Patent and Trademark Office  
c/o Office of Petitions  
United States Patent and Trademark Office  
200 Ballenger Avenue  
Randolph Building  
Alexandria, VA 22313Re: Petition to the Director to Withdraw Holding of Abandonment  
Application No.: 10/713,897  
First Named Applicant: Sherry Lynn Hadden

Dear Sir:

Please find enclosed a Petition to the Director to Withdraw Holding of Abandonment  
filed pursuant to 37 CFR 1.181. Thank you for your consideration in this matter.

With best regards, I remain,

BALCH &amp; BINGHAM LLP

Christian B. Waddell

CBW:lh  
EnclosuresAttorneys and Counselors  
401 East Capitol Street  
Suite 200  
P.O. Box 22587 (39225)  
Jackson, Mississippi 39201  
(601) 961-9900  
(601) 961-4466 Fax  
www.balch.com  
(888) 201-2067 (direct fax)  
cwaddell@balch.comRECEIVED  
CENTRAL FAX CENTER

NOV 29 2005

**PETITION TO THE DIRECTOR TO WITHDRAW HOLDING OF  
ABANDONMENT  
APPLICATION NUMBER 10/713,897**

**Filing or 371(c) date: 11/19/2002**  
**First Named Applicant: Sherry Lynn Hadden**

---

Pursuant to 37 CFR 1.181, I hereby request the Notice of Abandonment issued on November 7, 2005 and attached hereto as Exhibit "A" be withdrawn and would show unto the Director the following:

1. On November 19, 2002 the applicant, Sherry Lynn Hadden, applied for a provisional patent application. Said application was granted on December 23, 2002. The filing receipt is attached hereto as Exhibit "B."
2. On November 17, 2003 a Decision to Grant Request to Convert Non-Provisional Application was awarded. Decision attached as Exhibit "C." This document was mailed on January 7, 2004.
3. On November 11, 2005 Applicant received the aforementioned Notice of Abandonment for failing to reply to Notice of Missing Parts mailed on January 7, 2004.
4. Applicant never received the Notice of Missing Parts referenced in the Notice of Abandonment and mailed on January 7, 2004.
5. In a telephone conversation with Ms. Jenkins in the Petitions division of the United States Patent and Trademark Office (USPTO) on November 14, 2005, it was discovered that the Notice of Missing Parts was returned to the USPTO as undeliverable.
6. Ms. Jenkins confirmed that the address on the returned Notice was the correct address; however, according to Ms. Jenkins the notice was not resent.
7. The applicant is unable to respond to the Notice of Missing Parts due to never having received it.

THEREFORE, applicant hereby requests the Notice to File Missing Parts be resent to:

Sherry Lynn Hadden,  
c/o Christian Waddell  
Balch and Bingham LLP  
Post Office Box 22587  
Jackson, MS 39201

Applicant further requests the time to respond to the Notice to File Missing Parts be reset to allow the applicant time to properly respond.



Christian B. Waddell  
Balch & Bingham LLP, on behalf of  
Sherry Lynn Hadden  
P. O. Box 22587  
Jackson, MS 39201



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TTL.#
10/713,897	11/19/2002	Sherry Lynn Hadden	

CONFIRMATION NO. 5522  
ABANDONMENT/TERMINATION  
LETTER

Sherry Lynn Hadden  
Balch & Bingham LLP  
Post Office Box 22587  
Jackson, MS 39225-2587

Date Mailed: 11/07/2005

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/07/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37




CHK 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

---

*A copy of this notice MUST be returned with the reply.*



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 1 - ATTORNEY/APPLICANT COPY